DECLARATORY
Improvement Res. No. 1198-1966

For the Vacation of McKinley Avenue from the south property line of Johnson Street to the south property line of Beadell Street.

Resolution Adopted: Sept. 21, 1966

Confirmed: Sept. 21, 1966

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:
July 27, 1967

B.C. 175-'6[illegible] Redevel[illegible]ent

DECLARATORY RESOLUTION NO. 1198-1966

For the Vacation of McKinley Avenue from the south property line of Johnson Street to the south property line of Beadell Street.

PLANS ORDERED:

ADOPTED: Sept. 21, 1966

ADVERTISE NOTICE TO PROPERTY OWNERS: WAIVED

HEARING ON CONFIRMATION:

CONFIRMED: Sept. 21, 1966, contingent upon signed Waivers and sewer easement grant.

ASSESSMENT ROLL ORDERED: Oct. 20, 1966

ASSESSMENT ROLL APPROVED: June 29, 1967

HEARING ON CONFIRMATION OF ASSESSMENT ROLL: Thurs., July 27, 1967, 3:30 p. m.

NOTICE SERVED: July 14, 1967

ASSESSMENT ROLL CONFIRMED: July 27, 1967

DECLARATORY RESOLUTION No. 1198 19 66

For the Vacation ~~Opening Condemnation of right of way for utility purposes~~ of McKinley Avenue from the south property line of Johnson Street to the south property line of Beadell Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate McKinley Avenue from the south property line of Johnson Street to the south property line of Beadell Street.

All as shown by a plan of such proposed Vacation ~~Opening Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening Condemnation of right of way for utility purposes~~ is described as follows: Lots 67, 108, 109 and 151, all in Commercial Addition and portions of Lots "B" and "C", Commercial Addition. Said addition is inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5) % per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation~~ A portion of the above described street shall be subject to an easement for the use of the City of Fort Wayne, Indiana, ~~and other public utilities~~ for the construction and maintenance of sewers, ~~water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described vacation are situated in the northeast quarter of Section Nine and the northwest quarter of Section Ten, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 21TH DAY OF Sept. 19 66.

Attest:
Secretary Board of Public Works.

Fred E. Rudell
Robert W. Dahman
Board of Public Works.

ENGINEERING
DEPT. OF STREETS

DATE June 22, 1967

BOARD OF PUBLIC WORKS
RECEIVED
JUN 23 1967

TO: Board of Public Works

SUBJECT:

NOTED
F.S.E.
R.W.D.
G.F.G.
Date

This has reference to the following Declaratory Resolutions:

1196-1966 Vacation of Beadell Street
1198-1966 Vacation of McKinley Avenue
1201-1966 Vacation of Berghoff Street

The vacation of the above described streets has been completed with the exception of approving the assessment rolls of benefits and damages.

The assessment rolls have not been prepared because a sewer easement is required.

The Redevelopment Commission is unable to obtain signatures from property owners because some of the affected lots are still involved in court proceedings. Joslyn Stainless Steels has, therefore, submitted the attached letter which states they will dedicate the necessary easements after they own all of the property.

Assessment rolls of benefits and damages will be submitted for these three resolutions in a few days.

Walter H. Meitz
City Engineer

DEB:lc
attach.

May 5, 1967

Board of Works
City Hall

Subject: Rolling Mill Redevelopment Sewer Easements

Gentlemen:

We are most anxious to have the necessary streets and alleys vacated in the Rolling Mill area, and we do understand that the existing sewers in the area will require easements. Therefore, we hereby agree to dedicate, to the City of Fort Wayne, the necessary easements for the maintenance of the existing sewers. We understand that these sewers are those as colored in orange on the attached sewer drawings. We also will grant the necessary easements for ingress and egress for maintenance of this existing Sewage Lift Station.

The balance of the existing sewers within the area will be utilized by us where possible, but will be our own private system. It is understood that we will be responsible for the maintenance and repair on these sewers in the future.

Very truly yours,

JOSLYN STAINLESS STEELS

R. J. Ralston
General Manager-Operations

ds
Attachment
cc: Mr. W. H. Meitz
Prepared by: Sewer Engineering Department

OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE 2, INDIANA

B.O. 175-'66

Date Oct. 20, 1966

To City Engineer

Subject Dec. Res. 1198-1966 McKinley Avenue

NOTED
☐ F.S.E.
☐ R.W.D.
☐ G.F.G.
Date

Prepare Assessment Roll of Benefits $1.00 and Damages $1.00.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

ic
attach Res. & P. O. List

Signed

Reply:

June 26, 1967

Assessment Roll of Benefits and Damages completed and attached.

This assessment roll was delayed because a sewer easement is needed. Joslyn Stainless Steels have agreed, however, to grant an easement after they own all of the property involved.

A copy of this letter was forwarded to you June 22, 1967.

Walter H. Meitz
City Engineer

DEB:lc
attach.

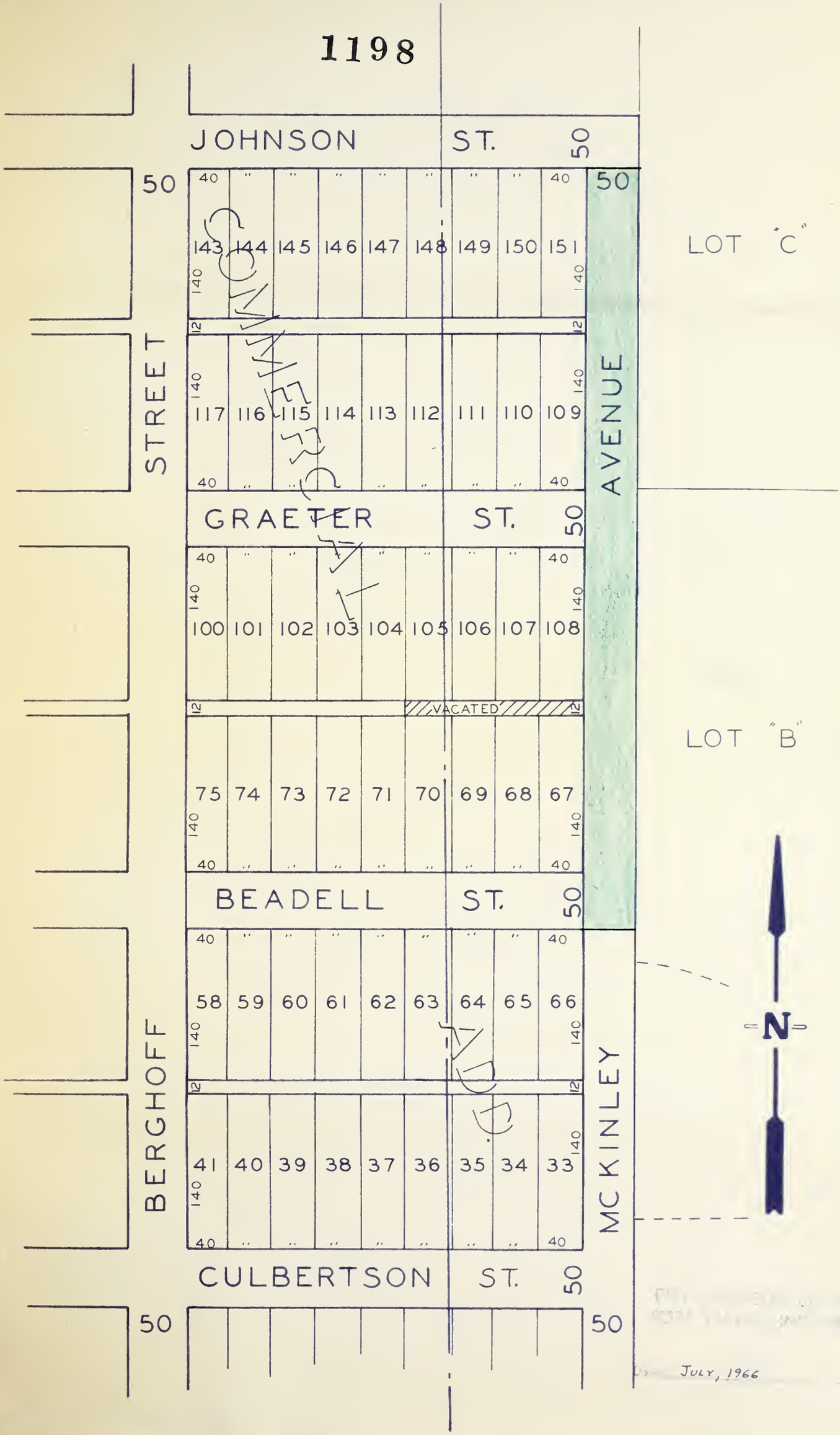
BOARD OF PUBLIC WORKS
RECEIVED
JUN 27 1967

Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

STREETS AND ALLEYS TO BE VACATED

1198



MAK:gs 5cc 9-21-66

Res. 1198-1966

WAIVER

The undersigned Corporation, which, except for the property owned by the City of Fort Wayne, Department of Redevelopment, is the owner of all of the property which may be injuriously or beneficially affected by the proposed vacation of a street described as follows, to wit:

> That portion of McKinley Avenue commencing at the Northeast corner of Lot 66; thence East 50 feet to the East right-of-way line of McKinley Avenue; thence North along the East right-of-way line to the South right-of-way line of Johnson Street as projected eastward; thence West 50 feet to the Northeast corner of Lot 151; thence South along the West right-of-way line of McKinley Avenue to the place of beginning, all in the Commercial Addition to the City of Fort Wayne,

which proposed vacation is set out in a resolution of the Board of Public Works of the City of Fort Wayne, Indiana, No. 1198, does hereby waive any and all rights it may have to receive notice of such resolution either by publication or otherwise, and does waive its right to a hearing on said resolution and its right to file or present in any way any remonstrance against the action taken by said Board under said resolution; and it does agree that Board may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution, and that such action so taken shall be final and conclusive upon said Corporation.

Dated this 22nd day of September, 1966.

JOSLYN MFG. AND SUPPLY CO.

By R. J. Rosen

Its Gen. Mgr.

MAK:gs 5cc 9-21-66

Res. 1198-1966

WAIVER

The undersigned City of Fort Wayne, Department of Redevelopment, which, except for the property owned by Joslyn Mfg. and Supply Co., is the owner of all of the property which may be injuriously or beneficially affected by the proposed vacation of a street described as follows, to wit:

> That portion of McKinley Avenue commencing at the Northeast corner of Lot 66; thence East 50 feet to the East right-of-way line of McKinley Avenue; thence North along the East right-of-way line to the South right-of-way line of Johnson Street as projected eastward; thence West 50 feet to the Northeast corner of Lot 151; thence South along the West right-of-way line of McKinley Avenue to the place of beginning, all in the Commercial Addition to the City of Fort Wayne,

which proposed vacation is set out in a resolution of the Board of Public Works of the City of Fort Wayne, Indiana, No. 1198, does hereby waive any and all rights it may have to receive notice of such resolution either by publication or otherwise, and does waive its right to a hearing on said resolution and its right to file or present in any way any remonstrance against the action taken by said Board under said resolution; and it does agree that Board may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution, and that such action so taken shall be final and conclusive upon said Corporation.

Dated this 21st day of September, 1966.

CITY OF FORT WAYNE, DEPARTMENT OF REDEVELOPMENT

By Donald H. Walker

Donald H. Walker, President
Fort Wayne Redevelopment Commission

DECLARATORY
~~Improvement~~ Resolution No. 1198-1966 For THE VACATION OF McKINLEY AVENUE FROM THE SOUTH PROPERTY LINE OF JOHNSON STREET TO THE SOUTH PROPERTY LINE OF BEADELL STREET.

	OWNER'S NAME	ADDRESS	NUMBER OF LOT	NUMBER OF BLOCK	NUMBER OF O. L.	DESCRIPTION
1	Joslyn & Supply Co.	1701 McKinley Avenue	151			COMMERCIAL GDS.
2	"		109			"
3	City of Fort Wayne	c/o Redevelopment Commission 925 S. Calhoun St. Attn: Wayne Schacht	108			"
4	"	"	67			"
5	Joslyn Mfg. & Supply Co.	1701 McKinley Avenue	C			"
6	"	"	B - EXC. S. 623.46' ON W. LINE			"
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P.A.
P.B.

1198